

BEFORE THE

Federal Communications Commission

WASHINGTON, D. C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)
)
 Allocation of Spectrum Below) ET Docket No. 94-32
 5 GHz Transferred from Federal)
 Government Use)

To: The Commission

**COMMENTS OF
 FORESTRY-CONSERVATION COMMUNICATIONS ASSOCIATION**

The Forestry Conservation Communications Association ("FCCA") hereby submits the following comments regarding potential applications of the first 50 MHz of spectrum to be released by the Federal Government pursuant to Title VI of the Omnibus Budget Reconciliation Act of 1993, and a Petition for Rulemaking filed by the Coalition of Private Users of Emerging Multimedia Technologies ("COPE"), requesting an allocation of 75 MHz for private land mobile use of new telecommunications technologies.

FCCA is the FCC certified Part 90 radio frequency coordinator for the Forestry-Conservation Radio Service. FCCA also represents its parent organizations, the National Association of State Foresters (NASF) and the International Association of Fish and Wildlife Agencies (IAFWA), on matters related to the radio communications. The members of NASF and IAFWA provide a full range of public safety related service, including fire protection, law enforcement, and

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emergency medical services over wide areas of state owned and/or protected lands.

The first 50 MHz to be released by the Federal Government, and in particular, the spectrum in the 2.4 GHz range, has potential to serve some of the specialized communications needs of forestry-conservation and other public safety agencies. The spectrum could perhaps be used for advanced mobile communications and for fixed microwave operations. Unfortunately, the danger of RF interference from microwave ovens and other ISM devices will restrict the usefulness of the band. Secondary amateur use may also be a problem because of the difficulty of identifying sources of interference. Nevertheless, there is a possibility that interference-free mobile and/or fixed forestry-conservation communications operations would be feasible, especially in sparsely populated areas.

FCCA strongly supports the COPE Petition. The Petition is well done and contains sufficient background supportive documentation and justifications to enable the Commission to respond in a positive manner to the obvious needs of COPE and other entities in the private radio services. FCCA agrees with COPE that the demand for private user emerging technology systems of the future will likely be dominated by video-oriented, multimedia services and will be different than the vast majority of carrier-provided PCS services.

FCCA notes that the public safety agencies eligible in the Forestry Conservation Radio Service (FCRS) have some primary legal responsibilities, and therefore communication needs, in all the areas listed in paragraph 21 of the Petition (listing areas of private use of new communications technologies). In Crime Control many FCRS state agencies have primary law enforcement responsibility over state lands. Park police, for example, must ensure civil order at camp grounds. Natural Resources and Environmental Protection agencies enforce hunting, fishing, environmental land use protection and other conservation laws. In Energy Conservation and Management many FCRS agencies are directly involved in hazardous materials incidents and also have a direct interest in utility emergencies affecting forests and other state lands. In Health Care FCRS agencies are at times the first contact with victims through search and rescue, hazardous material clean up, wildfire suppression, camping and other emergency responses requiring growing communications applications. In Pollution Control FCRS agencies have responsibilities in enforcing the environmental protection laws as well as responding to pollution emergencies.

The FCCA further identifies with the COPE insights in paragraph 32 related to extension of services to rural and other sparsely populated remote locations. Many FCRS agencies have jurisdiction over thousands of acres in such

locations. Wildfire suppression is certainly the most dramatic and fits the COPE thrust clearly. The proliferation of recreational and permanent residences in these areas are also changing the nature of wildlife suppression. The protection of life and property in these areas has become more complex and the technologies identified by COPE are a growing need. COPE has stated a clear case for spectrum to provide the technology and the FCCA again urges the Commission to respond to this critical need. Subscriber-based systems will by their nature not provide such service as an integral part of their service.

The FCCA is an organization that is deeply involved with federal, state and local support to provide incident coordination for the protection and preservation of natural resources, wildlife, life and property. Therefore the FCCA sees a great need to have many parallel approaches with the other governmental agencies and notes that these emerging technologies are a natural and essential part needed to support mandated public service.

FCCA also agrees with COPE that the mobile (in vehicle) office is a reality with the need for real time access to data from a myriad of sources, as discussed in paragraph 78 of the Petition. We support that position and feel there will be a need for a tremendous increase in spectrum in this area in the next five years to meet the needs of natural resource agencies.

CONCLUSION

Therefore, for the reasons discussed above and in the COPE Petition, FCCA urges the Commission to allocate radio spectrum for private, public safety use of new telecommunications technologies. This spectrum may include, but must not be limited to, the first 50 MHz of spectrum to be released by the Federal Government. Those frequencies will satisfy only a very small portion of public safety's needs.

Respectfully submitted,

FORESTRY-CONSERVATION
COMMUNICATIONS ASSOCIATION

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